

Request for Quotes 1240LN23Q0081
Yellowstone Corridor Context, Inventory, and Site Recordation Project
Custer Gallatin National Forest
Park County, MT

Solicitation Issue Date August 31, 2023

Requirement: The Custer Gallatin National Forest Supervisor’s Office has a requirement for a cultural resources survey.

Method of Solicitation: Request for Quotation (RFQ).

This is a combined synopsis/solicitation for commercial items prepared in accordance with the format in FAR Subpart 12.6, as supplemented with additional information included in this notice. This announcement constitutes the only solicitation; quotes are being requested and a written solicitation will not be issued.

The solicitation and incorporated provisions and clauses are those in effect through the most current Federal Acquisition Circular FAC 2023-04.

Responsible sources may submit a quotation which, if timely received, shall be considered by this agency. Per FAR 4.1102, Vendor shall be registered and showing as ACTIVE at the time the quotation is received.

North American Industry Classification (NAICS): 712120 – Historical Sites and the Small Business Size Standard is \$13 million.

Set Aside: 100% small business set-aside.

Period of Acceptance for Quotes: The quoter agrees to hold the prices in its offer firm for 30 calendar days from the date specified for receipt of offers unless another time period is specified in an addendum to the solicitation.

Period of Performance: The period of performance of this contract is tentatively from July 8, 2024 through December 16, 2024. Final dates will be determined at award.

General Information: The intent of this solicitation is to obtain quotes for heritage survey services. See below for complete project description. The Government anticipates awarding a firm-fixed priced contract as a result of this Request for Quotation.

Provide quote by: 4:00 PM, Mountain Standard Time on September 14, 2023.

NOTE: FAR Part 13 will be utilized to accept valid quotes as per the specifications, terms and conditions of the solicitation, and the government reserves the right to review any and all quotes received, regardless of date, prior to making a final award decision.

DOCUMENTS TO RETURN:

The following documents shall be submitted by the quoter for evaluation to be considered responsive:

- Schedule of Items
- Experience Questionnaire or a document demonstrating recent and relevant experience in respect to the size and scope of this project.
- Acknowledge Amendments (per the instructions in Block 11 on the SF-30) **if applicable.**

Send questions and quotes to Kimberly Hamil, Purchasing Agent, at Kimberly.hamil@usda.gov

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SCHEDULE OF ITEMS/PRICE SCHEDULE

Item No.	Description	Qty	Unit of Issue	Unit Price	Total Price
0001A	2,020 Acre Survey	1	LS	\$	\$
0001B	Monitor and Update 32 Sites, Record newly discovered sites	1	LS	\$	\$
0001C	Draft Report (with site forms as appendix)	1	LS	\$	\$
0001D	Final Report (to include 32 site form updates and any new site forms as appendix)	1	LS	\$	\$
				Total of all Items:	\$

Notes: The quoter must quote on all items, all years, to be considered responsive.

Price quotation furnished by:

Name:		Phone:	
Address:		Email:	
DUNS#/SAM UEID:		Signature/Date of Quote:	

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Statement of Work
Yellowstone Corridor Context, Inventory, and Site Recordation Project
Gardiner District, Custer Gallatin National Forest

DESCRIPTION OF WORK and PROJECT LOCATION

The contractor will conduct a cultural resource survey along the Yellowstone River Corridor between Miner, MT and the Yellowstone Park Boundary on the Gardiner Ranger District. The contracted work will produce an inventory report and context documents on both the pre-contact and historic periods represented within the Yellowstone River Corridor. There are approximately 50 known sites in the general Yellowstone Corridor that will need to be considered for the context documents. The field inventory will identify and document all cultural resources within the survey area (32 sites on Forest Service lands to be updated and an estimated 5 new sites to be recorded due to some new inventory areas).

Linear sites, such as the Northern Pacific Railroad Park Branch Line (24PA1120), Yankee Jim Toll Road/Wagon Route (24PA0763), the Yellowstone Auto Route (24PA1148), and the Old Chico to Gardiner Road (24PA1393), will have their full alignments and associated features from Miner to Gardiner (about 11 miles distance) identified on the ground on Forest Service lands with the remaining features noted with coordinates. It is estimated that the railroad, toll road, and auto route sites will each need seven miles delineated on Forest Service lands. The Old Chico to Gardiner Road appears to have about 1.5 miles on Forest Service lands within the inventory area. This comes to an estimated 22.5 miles of linear sites to be documented. There is some overlap of railroad grade and historic roadbed in certain locations, which will decrease the actual mileage.

As a result of the 2022 Flood, many prehistoric sites may be exposed in the new cutbanks. Additionally, detailed documentation of sites exposed to cutbank erosion by the Yellowstone River will be undertaken. Other disturbances to sites that need to be documented especially in the site forms are the presence of utility poles within site boundaries and recreationalist impacts.

Total survey acreage is 2,020 acres. Thirty-two sites are located on Forest Service land within the inventory area. These 32 sites, which include four linear sites and an historic townsite (Electric 24PA0483), will be updated.

In support of the context documents, this corridor includes four pre-contact period sites with previous testing, Corwin Springs Site (24PA0195), Sphinx Creek (24PA0508), and Buffalo and Beaver Caves (24PA0772), and Yankee's Revenge Site (24PA0805). The Corwin Springs Site contains a buried Bitterroot component that has been closely studied (Davis et al 2012). Sphinx Creek is a multiple occupation site with occupations that span from the Archaic to the Late Pre-Contact Period (Deaver et al 1989:32). The Buffalo and Beaver Caves are highly important as they include rock art and cradleboards were recovered from Buffalo Cave historically. Limited testing at Buffalo Cave encountered a hearth with charcoal dates to 3870+/-80BP, while charcoal from testing at Beaver Cave dated to 1280+/-80BP (Allen 1990). The Yankee's Revenge Site has received recent testing in 2021 (Peterson 2021). There are several overarching documents for the west side of the river in the Yellowstone Corridor, which address historical research (Allen 2018, Whithorn 1989) and cultural resources (Deaver et al 1989, Huppe 1988). Focused study of the Electric and Aldridge coal mining operations has occurred (Shover 1987). Also, there has been previous inventory on the Royal Teton Ranch lands that will be beneficial to the context documents (Fredlund 1987).

TECHNICAL SPECIFICATIONS

The Contractor shall perform the work in accordance with relevant professional standards. These include:

A Class III intensive cultural resource survey will be conducted along the Yellowstone River Corridor including careful search of old and new cutbanks along the Yellowstone River. All heritage resources within this corridor will be recorded using the Montana Historic Property or Montana Cultural Resource site forms, whichever is appropriate.

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Thirty-two sites, which include four linear sites and an historic townsite, will be monitored and site updates included on the appropriate Montana State site form.

A report describing the results of the inventory, site monitoring, and any newly documented sites. This report information will be incorporated into contextual documents that describe the development of pre-contact and historic contexts of the Yellowstone River Corridor. Site forms will be attached as appendices to the report.

The deliverable will consist of one digital copy of a report on the results of the cultural resource inventory, site forms for all recorded cultural resources, along with all relevant maps, photographs (historical as well as current) and attachments. The context documents for the pre-contract and historic periods may be done as a single overview or two separate documents. If the contractor would like to simply incorporate the detailed contextual information into the inventory report, that approach can be discussed and happen with approval of the COR. If the contextual documents are written separately from the inventory report, then a draft context(s) would be reviewed by the COR for accuracy and completeness.

Upon acceptance of the draft report by the COR, the contractor will obtain site numbers for any newly discovered site from the Montana Historic Preservation Office and submit the final report deliverable consisting of two unbound paper copies of the report (site forms are an appendix to the report), one digital copy of the report in .pdf file format, and GIS data and associated metadata. GIS data should contain, at a minimum, shapefiles of survey unit boundaries, areas surveyed if different from unit boundaries (this would be cleared with the COR and justified in the report), and site boundaries in NAD83. A digital copy of all photographs of features and overview photographs of the sites will be provided in JPEG, TIFF or another commonly used digital photo file format. If the contractor has incorporated the detailed contextual information for the pre-contact and historic periods into the report, then that would be the only deliverable document. If the contractor has produced a separate context(s), then two unbound paper copies of this document(s) and one digital copy in .pdf file format also would be a deliverable for this contract.

It is important to note that all submissions MUST follow the above standards, or the work will be returned to the contractor for correction. Neither the Forest Service nor the Montana State Historic Preservation Office will provide clerical services for the purposes of completing these contract requirements.

GOVERNMENT FURNISHED PROPERTY

The Government will provide the following item(s) of Government property to the Contractor for use in the performance of this contract. This property shall be used and maintained by the Contractor in accordance with the provisions of the "Government Property" FAR clause contained elsewhere in the contract.

The Government will provide the following property and services:

Description	Location	Dates Available
Background project files	Bozeman, MT	Upon Award
Previously recorded site records	Bozeman, MT	Upon Award

ATTACHMENTS

- Yellowstone Corridor Vicinity Map
- Experience Questionnaire or a document demonstrating recent and relevant experience in respect to the size and scope of this particular project. (2 pages)
- Wage Determination WD 2015-5399 (Rev. 20) dated 07/19/2023 (11 pages)

PROJECT SCHEDULE AND DELIVERY DEADLINES

- Estimated date for Notice to Proceed: July 8, 2024
- Estimated completion of survey work: August 26, 2024
- Estimated Draft Report and site form submittal: November 4, 2024
- 100% Final submittal: December 16, 2024

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YELLOWSTONE RIVER CORRIDOR SITES TO BE UPDATED

SMITHSONIAN	TYPE	CULTURAL RESOURCE NAME
24PA0158	PREH	LADUKE SPRING SITE
24PA0175	MULT	McConnell Site
24PA0195	PREH	Corwin Springs Site
24PA0303	PREH	CUTLER RANCH SITE
24PA0365	UNKN	Lithic Scatter
24PA0394	PREH	HIDDEN SPRINGS SITE
24PA0481	PREH	NFS-CUT SITE
24PA0483	HIST	ELECTRIC TOWNSITE COMPLEX
24PA0508	MULT	SPHINX CREEK
24PA0671	PREH	YANKEE JIM CAMPGROUND
24PA0713	PREH	Yellowstone Flat
24PA0714	PREH	Railroad Bend
24PA0727	HIST	SPHINX FLATS SECTION HOUSE
24PA0763	HIST	YANKEE JIM WAGON ROAD
24PA0772	PREH	BEAVER AND BUFFALO CAVES
24PA0805	PREH	YANKEE'S REVENGE SITE
24PA0818	HIST	Stone Piles
24PA0819	UNKN	Cairns Site
24PA0820	UNKN	Rock Piles
24PA0821	PREH	Material Testing
24PA0822	PREH	Lithic Scatter
24PA0823	PREH	Caldera Site
24PA0826	UNKN	Rock Alignment
24PA0828	HIST	Dugouts and Ditch
24PA0829	HIST	Yankee Jim School House
24PA0830	HIST	Dugout Structure
24PA1120	HIST	Northern Pacific Railroad (Park Branch Line)
24PA1148	HIST	YELLOWSTONE TRAIL AUTO ROUTE
24PA1343	HIST	YANKEE JIM WEST ADIT
24PA1374	MULT	Cinnabar Fishing Access Site
24PA1393	HIST	HISTORIC ROAD TO CHICO
24YE0354	PREH	PARK BOUNDARY

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CONTRACT CLAUSES

52.204-13 System for Award Management Maintenance (OCT 2018)

52.204-18 Commercial and Government Entity Code Maintenance (AUG 2020)

**52.212-5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders—
Commercial Products and Commercial Services (JUN 2023)**

(a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services:

(1) [52.203-19](#), Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (JAN 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).

(2) [52.204-23](#), Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (NOV 2021) (Section 1634 of Pub. L. 115-91).

(3) [52.204-25](#), Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (NOV 2021) (Section 889(a)(1)(A) of Pub. L. 115-232).

(4) [52.209-10](#), Prohibition on Contracting with Inverted Domestic Corporations (NOV 2015).

(5) [52.232-40](#), Providing Accelerated Payments to Small Business Subcontractors (MAR 2023) ([31 U.S.C. 3903](#) and [10 U.S.C. 3801](#)).

(6) [52.233-3](#), Protest After Award (AUG 1996) ([31 U.S.C. 3553](#)).

(7) [52.233-4](#), Applicable Law for Breach of Contract Claim (OCT 2004) (Public Laws 108-77 and 108-78 ([19 U.S.C. 3805 note](#))).

(b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services:

[Contracting Officer check as appropriate.]

(1) [52.203-6](#), Restrictions on Subcontractor Sales to the Government (JUN 2020), with *Alternate I* (NOV 2021) ([41 U.S.C. 4704](#) and [10 U.S.C. 4655](#)).

(2) [52.203-13](#), Contractor Code of Business Ethics and Conduct (NOV 2021) ([41 U.S.C. 3509](#))).

(3) [52.203-15](#), Whistleblower Protections under the American Recovery and Reinvestment Act of 2009 (JUN 2010) (Section 1553 of Pub. L. 111-5). (Applies to contracts funded by the American Recovery and Reinvestment Act of 2009.)

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(4) [52.204-10](#), Reporting Executive Compensation and First-Tier Subcontract Awards (JUN 2020) (Pub. L. 109-282) ([31 U.S.C. 6101 note](#)).

(5) [Reserved].

(6) [52.204-14](#), Service Contract Reporting Requirements (OCT 2016) (Pub. L. 111-117, section 743 of Div. C).

(7) [52.204-15](#), Service Contract Reporting Requirements for Indefinite-Delivery Contracts (OCT 2016) (Pub. L. 111-117, section 743 of Div. C).

(8) [52.204-27](#), Prohibition on a ByteDance Covered Application (JUN 2023) (Section 102 of Division R of Pub. L. 117-328).

(9) [52.209-6](#), Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (NOV 2021) ([31 U.S.C. 6101 note](#)).

(10) [52.209-9](#), Updates of Publicly Available Information Regarding Responsibility Matters (OCT 2018) ([41 U.S.C. 2313](#)).

(11) [Reserved].

(12) [52.219-3](#), Notice of HUBZone Set-Aside or Sole-Source Award (OCT 2022) ([15 U.S.C. 657a](#)).

(13) [52.219-4](#), Notice of Price Evaluation Preference for HUBZone Small Business Concerns (OCT 2022) (if the offeror elects to waive the preference, it shall so indicate in its offer) ([15 U.S.C. 657a](#)).

(14) [Reserved]

(15) (i) [52.219-6](#), Notice of Total Small Business Set-Aside (NOV 2020) ([15 U.S.C. 644](#)).

(ii) Alternate I (MAR 2020) of [52.219-6](#).

(16) (i) [52.219-7](#), Notice of Partial Small Business Set-Aside (NOV 2020) ([15 U.S.C. 644](#)).

(ii) Alternate I (MAR 2020) of [52.219-7](#).

(17) [52.219-8](#), Utilization of Small Business Concerns (OCT 2022) ([15 U.S.C. 637\(d\)\(2\)](#) and (3)).

(18) (i) [52.219-9](#), Small Business Subcontracting Plan (OCT 2022) ([15 U.S.C. 637\(d\)\(4\)](#)).

(ii) Alternate I (NOV 2016) of [52.219-9](#).

(iii) Alternate II (NOV 2016) of [52.219-9](#).

(iv) Alternate III (JUN 2020) of [52.219-9](#).

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- (v) Alternate IV (SEP 2021) of [52.219-9](#).
- (19) (i) [52.219-13](#), Notice of Set-Aside of Orders (MAR 2020) ([15 U.S.C. 644\(r\)](#)).
- (ii) Alternate I (MAR 2020) of [52.219-13](#).
- (20) [52.219-14](#), Limitations on Subcontracting (OCT 2022) ([15 U.S.C. 637s](#)).
- (21) [52.219-16](#), Liquidated Damages—Subcontracting Plan (SEP 2021) ([15 U.S.C. 637\(d\)\(4\)\(F\)\(i\)](#)).
- (22) [52.219-27](#), Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (OCT 2022) ([15 U.S.C. 657f](#)).
- (23) (i) [52.219-28](#), Post Award Small Business Program Rerepresentation (MAR 2023)([15 U.S.C. 632\(a\)\(2\)](#)).
- (ii) Alternate I (MAR 2020) of [52.219-28](#).
- (24) [52.219-29](#), Notice of Set-Aside for, or Sole-Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns (OCT 2022) ([15 U.S.C. 637\(m\)](#)).
- (25) [52.219-30](#), Notice of Set-Aside for, or Sole-Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (OCT 2022) ([15 U.S.C. 637\(m\)](#)).
- (26) [52.219-32](#), Orders Issued Directly Under Small Business Reserves (MAR 2020) ([15 U.S.C. 644\(r\)](#)).
- (27) [52.219-33](#), Nonmanufacturer Rule (SEP 2021) ([15U.S.C. 637\(a\)\(17\)](#)).
- (28) [52.222-3](#), Convict Labor (JUN 2003) (E.O.11755).
- (29) [52.222-19](#), Child Labor-Cooperation with Authorities and Remedies (DEC 2022) (E.O.13126).
- (30) [52.222-21](#), Prohibition of Segregated Facilities (APR 2015).
- (31) (i) [52.222-26](#), Equal Opportunity (SEP 2016) (E.O.11246).
- (ii) Alternate I (FEB 1999) of [52.222-26](#).
- (32) (i) [52.222-35](#), Equal Opportunity for Veterans (JUN 2020) ([38 U.S.C. 4212](#)).
- (ii) Alternate I (JUL 2014) of [52.222-35](#).
- (33) (i) [52.222-36](#), Equal Opportunity for Workers with Disabilities (JUN 2020) ([29 U.S.C. 793](#)).
- (ii) Alternate I (JUL 2014) of [52.222-36](#).

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- (34) [52.222-37](#), Employment Reports on Veterans (JUN 2020) ([38 U.S.C. 4212](#)).
- (35) [52.222-40](#), Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496).
- (36) (i) [52.222-50](#), Combating Trafficking in Persons (NOV 2021) ([22 U.S.C. chapter 78](#) and E.O. 13627).
- (ii) Alternate I (MAR 2015) of [52.222-50](#) ([22 U.S.C. chapter 78](#) and E.O. 13627).
- (37) [52.222-54](#), Employment Eligibility Verification (MAY 2022) (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial products or commercial services as prescribed in FAR [22.1803](#).)
- (38) (i) [52.223-9](#), Estimate of Percentage of Recovered Material Content for EPA–Designated Items (May 2008) ([42 U.S.C. 6962\(c\)\(3\)\(A\)\(ii\)](#)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
- (ii) Alternate I (MAY 2008) of [52.223-9](#) ([42 U.S.C. 6962\(i\)\(2\)\(C\)](#)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
- (39) [52.223-11](#), Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (Jun 2016) (E.O. 13693).
- (40) [52.223-12](#), Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (JUN 2016) (E.O. 13693).
- (41) (i) [52.223-13](#), Acquisition of EPEAT®-Registered Imaging Equipment (JUN 2014) (E.O.s 13423 and 13514).
- (ii) Alternate I (OCT 2015) of [52.223-13](#).
- (42) (i) [52.223-14](#), Acquisition of EPEAT®-Registered Televisions (JUN 2014) (E.O.s 13423 and 13514).
- (ii) Alternate I (Jun2014) of [52.223-14](#).
- (43) [52.223-15](#), Energy Efficiency in Energy-Consuming Products (MAY 2020) ([42 U.S.C. 8259b](#)).
- (44) (i) [52.223-16](#), Acquisition of EPEAT®-Registered Personal Computer Products (OCT 2015) (E.O.s 13423 and 13514).
- (ii) Alternate I (JUN 2014) of [52.223-16](#).
- (45) [52.223-18](#), Encouraging Contractor Policies to Ban Text Messaging While Driving (JUN 2020) (E.O. 13513).

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- (46) [52.223-20](#), Aerosols (JUN 2016) (E.O. 13693).
- (47) [52.223-21](#), Foams (Jun2016) (E.O. 13693).
- (48) (i) [52.224-3](#) Privacy Training (JAN 2017) (5 U.S.C. 552 a).
 - (ii) Alternate I (JAN 2017) of [52.224-3](#).
- (49) (i) [52.225-1](#), Buy American-Supplies (OCT 2022) ([41 U.S.C. chapter 83](#)).
 - (ii) Alternate I (OCT 2022) of [52.225-1](#).
- (50) (i) [52.225-3](#), Buy American-Free Trade Agreements-Israeli Trade Act (DEC 2022) ([19 U.S.C. 3301 note](#), [19 U.S.C. 2112 note](#), [19 U.S.C. 3805 note](#), [19 U.S.C. 4001 note](#), 19 U.S.C. chapter 29 (sections 4501-4732), Public Law 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43).
 - (ii) Alternate I [Reserved].
 - (iii) Alternate II (DEC 2022) of [52.225-3](#).
 - (iv) Alternate III (JAN 2021) of [52.225-3](#).
 - (v) Alternate IV (Oct 2022) of [52.225-3](#).
- (51) [52.225-5](#), Trade Agreements (DEC 2022) ([19 U.S.C. 2501](#), *et seq.*, [19 U.S.C. 3301](#) note).
- (52) [52.225-13](#), Restrictions on Certain Foreign Purchases (FEB 2021) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).
- (53) [52.225-26](#), Contractors Performing Private Security Functions Outside the United States (Oct 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. Subtitle A, Part V, Subpart G Note).
- (54) [52.226-4](#), Notice of Disaster or Emergency Area Set-Aside (Nov 2007) ([42 U.S.C. 5150](#)).
- (55) [52.226-5](#), Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov2007) ([42 U.S.C. 5150](#)).
- (56) [52.229-12](#), Tax on Certain Foreign Procurements (FEB 2021).
- (57) [52.232-29](#), Terms for Financing of Purchases of Commercial Products and Commercial Services (NOV 2021) ([41 U.S.C. 4505](#), [10 U.S.C. 3805](#)).
- (58) [52.232-30](#), Installment Payments for Commercial Products and Commercial Services (NOV 2021) ([41 U.S.C. 4505](#), [10 U.S.C. 3805](#)).

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(59) [52.232-33](#), Payment by Electronic Funds Transfer-System for Award Management (OCT2018) ([31 U.S.C. 3332](#)).

(60) [52.232-34](#), Payment by Electronic Funds Transfer-Other than System for Award Management (Jul 2013) ([31 U.S.C. 3332](#)).

(61) [52.232-36](#), Payment by Third Party (MAY 2014) ([31 U.S.C. 3332](#)).

(62) [52.239-1](#), Privacy or Security Safeguards (AUG 1996) ([5 U.S.C. 552a](#)).

(63) [52.242-5](#), Payments to Small Business Subcontractors (JAN 2017) ([15 U.S.C. 637\(d\)\(13\)](#)).

(64) (i) [52.247-64](#), Preference for Privately Owned U.S.-Flag Commercial Vessels (NOV 2021) ([46 U.S.C. 55305](#) and [10 U.S.C. 2631](#)).

(ii) Alternate I (APR 2003) of [52.247-64](#).

(iii) Alternate II (NOV 2021) of [52.247-64](#).

(c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services:

[Contracting Officer check as appropriate.]

(1) [52.222-41](#), Service Contract Labor Standards (AUG 2018) ([41 U.S.C. chapter 67](#)).

(2) [52.222-42](#), Statement of Equivalent Rates for Federal Hires (MAY 2014) ([29 U.S.C. 206](#) and [41 U.S.C. chapter 67](#)).

(3) [52.222-43](#), Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (Multiple Year and Option Contracts) (AUG 2018) ([29 U.S.C. 206](#) and [41 U.S.C. chapter 67](#)).

(4) [52.222-44](#), Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (May 2014) ([29 U.S.C. 206](#) and [41 U.S.C. chapter 67](#)).

(5) [52.222-51](#), Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (May 2014) ([41 U.S.C. chapter 67](#)).

(6) [52.222-53](#), Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (MAY 2014) ([41 U.S.C. chapter 67](#)).

(7) [52.222-55](#), Minimum Wages for Contractor Workers Under Executive Order 14026 (JAN 2022).

(8) [52.222-62](#), Paid Sick Leave Under Executive Order 13706 (JAN 2022) (E.O. 13706).

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(9) [52.226-6](#), Promoting Excess Food Donation to Nonprofit Organizations (Jun 2020) ([42 U.S.C. 1792](#)).

(d) *Comptroller General Examination of Record*. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, as defined in FAR [2.101](#), on the date of award of this contract, and does not contain the clause at [52.215-2](#), Audit and Records-Negotiation.

(1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.

(2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR subpart [4.7](#), Contractor Records Retention, of the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.

(3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.

(e) (1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1), in a subcontract for commercial products or commercial services. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause-

(i) [52.203-13](#), Contractor Code of Business Ethics and Conduct (NOV 2021) ([41 U.S.C. 3509](#)).

(ii) [52.203-19](#), Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).

(iii) [52.204-23](#), Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (NOV 2021) (Section 1634 of Pub. L. 115-91).

(iv) [52.204-25](#), Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (NOV 2021) (Section 889(a)(1)(A) of Pub. L. 115-232).

(v) [52.204-27](#), Prohibition on a ByteDance Covered Application (JUN 2023) (Section 102 of Division R of Pub. L. 117-328).

(vi) [52.219-8](#), Utilization of Small Business Concerns (OCT 2022) ([15 U.S.C. 637\(d\)\(2\)](#) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds the applicable threshold specified in FAR [19.702](#)(a) on the date of subcontract award, the subcontractor must include [52.219-8](#) in lower tier subcontracts that offer subcontracting opportunities.

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- (vii) [52.222-21](#), Prohibition of Segregated Facilities (APR 2015).
- (viii) [52.222-26](#), Equal Opportunity (SEP 2015) (E.O.11246).
- (ix) [52.222-35](#), Equal Opportunity for Veterans (JUN 2020) ([38 U.S.C. 4212](#)).
- (x) [52.222-36](#), Equal Opportunity for Workers with Disabilities (JUN 2020) ([29 U.S.C. 793](#)).
- (xi) [52.222-37](#), Employment Reports on Veterans (JUN 2020) ([38 U.S.C. 4212](#)).
- (xii) [52.222-40](#), Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause [52.222-40](#).
- (xiii) [52.222-41](#), Service Contract Labor Standards (AUG 2018) ([41 U.S.C. chapter 67](#)).
- (xiv) (A) [52.222-50](#), Combating Trafficking in Persons (NOV 2021) ([22 U.S.C. chapter 78](#) and E.O. 13627).

(B) Alternate I (MAR 2015) of [52.222-50](#) ([22 U.S.C. chapter 78](#) and E.O. 13627).
- (xv) [52.222-51](#), Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (May 2014) ([41 U.S.C. chapter 67](#)).
- (xvi) [52.222-53](#), Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (MAY 2014) ([41 U.S.C. chapter 67](#)).
- (xvii) [52.222-54](#), Employment Eligibility Verification (MAY 2022) (E.O. 12989).
- (xviii) [52.222-55](#), Minimum Wages for Contractor Workers Under Executive Order 14026 (JAN 2022).
- (xix) [52.222-62](#), Paid Sick Leave Under Executive Order 13706 (JAN 2022) (E.O. 13706).
- (xx) (A) [52.224-3](#), Privacy Training (Jan 2017) ([5 U.S.C. 552a](#)).

(B) Alternate I (JAN 2017) of [52.224-3](#).
- (xxi) [52.225-26](#), Contractors Performing Private Security Functions Outside the United States (OCT 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. Subtitle A, Part V, Subpart G Note).
- (xxii) [52.226-6](#), Promoting Excess Food Donation to Nonprofit Organizations (JUN 2020) ([42 U.S.C. 1792](#)). Flow down required in accordance with paragraph (e) of FAR clause [52.226-6](#).
- (xxiii) [52.232-40](#), Providing Accelerated Payments to Small Business Subcontractors (Mar 2023) ([31 U.S.C. 3903](#) and [10 U.S.C. 3801](#)). Flow down required in accordance with paragraph (c) of [52.232-40](#).
- (xxiv) [52.247-64](#), Preference for Privately Owned U.S.-Flag Commercial Vessels (NOV 2021) ([46 U.S.C. 55305](#) and [10 U.S.C. 2631](#)). Flow down required in accordance with paragraph (d) of FAR clause [52.247-64](#).

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(2) While not required, the Contractor may include in its subcontracts for commercial products and commercial services a minimal number of additional clauses necessary to satisfy its contractual obligations.

(End of clause)

52.204-13 System for Award Management Maintenance (OCT 2018)

52.204-18 Commercial and Government Entity Code Maintenance (AUG 2020)

52.232-40 Providing Accelerated Payments to Small Business Subcontractors (NOV 2021)(DEVIATION APR 2020) (31 USC 3903 and 10 USC 2307)

52.245-1 Government Property (SEP 2021) Alt 1 (APR 2012)

52.252-2 Clauses Incorporated by Reference (FEB 1998)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):

Federal Acquisition Regulation (FAR) Clauses:

<https://www.acquisition.gov/browse/index/far> (FAR clauses begin with 52)

Department of Agriculture Acquisition Regulation (AGAR) Clauses: <https://www.acquisition.gov/agar> (AGAR clauses begin with 452)

Deviations to clauses may be viewed at: <https://www.dm.usda.gov/procurement/policy/FARClassDeviations.htm>

(End of clause)

52.252-6 Authorized Deviations in Clauses (NOV 2020)

(a) The use in this solicitation or contract of any Federal Acquisition Regulation (48 CFR Chapter 1) clause with an authorized deviation is indicated by the addition of “(DEVIATION)” after the date of the clause.

(b) The use in this solicitation or contract of any Agriculture Acquisition Regulation (48 CFR __4__) clause with an authorized deviation is indicated by the addition of “(DEVIATION)” after the name of the regulation.

(End of clause)

452.204-70 Modification for Contract Closeout (OCT 2021)

Upon contract closeout for contracts utilizing Simplified Acquisition Procedures (SAP) according to FAR 13:

- (a) If unobligated funds in the amount of \$1000 or less remain on the contract, the Contracting Officer (CO) shall issue a unilateral modification for deobligation. The contractor will receive a copy of the modification but will not be required to provide a signature. The CO shall immediately proceed with contract closeout upon completion of the period of performance, receipt and acceptance of supplies or services, and final payment.
- (b) If unobligated funds of more than \$1000 remain on the contract, the CO shall issue a bilateral modification for deobligation. The contractor will receive a copy of the modification and will be required to provide a signature. (The CO may also request a Release of Claims be completed by the contractor, although not

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required for contract and orders using SAP procedures.) If the bilateral modification and Release of Claims are not returned to the CO within 60 days, the CO shall release the modification as unilateral and proceed with contract closeout upon completion of the period of performance, receipt and acceptance of supplies or services, and final payment.

(End of clause)

452.215-73 Post Award Conference (NOV 1996)

A post award conference with the successful offeror is required. It will be scheduled within 30 days after the date of contract award. The conference will be held at a date and time to be determined.

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INVOICING & PAYMENTS

All payments are processed using The Invoice Processing Platform (IPP). This is a mandatory requirement initiated by the U.S. Department of Treasury and you can find more information at this website <https://www.ipp.gov/index.htm>. Please make sure that your company has registered at <https://www.ipp.gov/vendors/enrollment-vendors.htm> to establish your account.

The IPP Customer Support Desk is available to assist users Monday through Friday (excluding Federal holidays) from 8 a.m. to 6 p.m. ET, to answer questions related to accessing IPP or completing the registration process. Their toll-free number is 1-866-973-3131 or they can be reached at IPPCustomerSupport@fms.treas.gov. If you have any additional questions or concerns, please contact the Controller Operations Division Help Desk at 1-877-243-3072 or cod.help@usda.gov.

SOLICITATION PROVISIONS

52.204-7 System for Award Management (OCT 2018)

52.204-16 Commercial and Government Entity Code Reporting (AUG 2020)

52.204-24 Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (NOV 2021)

The Offeror shall not complete the representation at paragraph (d)(1) of this provision if the Offeror has represented that it "does not provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument" in paragraph (c)(1) in the provision at 52.204-26, Covered Telecommunications Equipment or Services—Representation, or in paragraph (v)(2)(i) of the provision at 52.212-3, Offeror Representations and Certifications—Commercial Products or Commercial Services. The Offeror shall not complete the representation in paragraph (d)(2) of this provision if the Offeror has represented that it "does not use covered telecommunications equipment or services, or any equipment, system, or service that uses covered telecommunications equipment or services" in paragraph (c)(2) of the provision at 52.204-26, or in paragraph (v)(2)(ii) of the provision at 52.212-3.

(a) Definitions. As used in this provision—

Backhaul, covered telecommunications equipment or services, critical technology, interconnection arrangements, reasonable inquiry, roaming, and substantial or essential component have the meanings provided in the clause 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.

(b) Prohibition. (1) Section 889(a)(1)(A) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232) prohibits the head of an executive agency on or after August 13, 2019, from procuring or obtaining, or extending or renewing a contract to procure or obtain, any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. Nothing in the prohibition shall be construed to—

(i) Prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

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(ii) Cover telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(2) Section 889(a)(1)(B) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232) prohibits the head of an executive agency on or after August 13, 2020, from entering into a contract or extending or renewing a contract with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. This prohibition applies to the use of covered telecommunications equipment or services, regardless of whether that use is in performance of work under a Federal contract. Nothing in the prohibition shall be construed to—

(i) Prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(ii) Cover telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(c) Procedures. The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov>) for entities excluded from receiving federal awards for "covered telecommunications equipment or services".

(d) Representation. The Offeror represents that—

(1) It will, will not provide covered telecommunications equipment or services to the Government in the performance of any contract, subcontract or other contractual instrument resulting from this solicitation. The Offeror shall provide the additional disclosure information required at paragraph (e)(1) of this section if the Offeror responds "will" in paragraph (d)(1) of this section; and

(2) After conducting a reasonable inquiry, for purposes of this representation, the Offeror represents that— It does, does not use covered telecommunications equipment or services, or use any equipment, system, or service that uses covered telecommunications equipment or services. The Offeror shall provide the additional disclosure information required at paragraph (e)(2) of this section if the Offeror responds "does" in paragraph (d)(2) of this section.

(e) Disclosures. (1) Disclosure for the representation in paragraph (d)(1) of this provision. If the Offeror has responded "will" in the representation in paragraph (d)(1) of this provision, the Offeror shall provide the following information as part of the offer:

(i) For covered equipment—

(A) The entity that produced the covered telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the original equipment manufacturer (OEM) or a distributor, if known);

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(B) A description of all covered telecommunications equipment offered (include brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); and

(C) Explanation of the proposed use of covered telecommunications equipment and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(1) of this provision.

(ii) For covered services—

(A) If the service is related to item maintenance: A description of all covered telecommunications services offered (include on the item being maintained: Brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); or

(B) If not associated with maintenance, the Product Service Code (PSC) of the service being provided; and explanation of the proposed use of covered telecommunications services and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(1) of this provision.

(2) Disclosure for the representation in paragraph (d)(2) of this provision. If the Offeror has responded "does" in the representation in paragraph (d)(2) of this provision, the Offeror shall provide the following information as part of the offer:

(i) For covered equipment—

(A) The entity that produced the covered telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the OEM or a distributor, if known);

(B) A description of all covered telecommunications equipment offered (include brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); and

(C) Explanation of the proposed use of covered telecommunications equipment and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(2) of this provision.

(ii) For covered services—

(A) If the service is related to item maintenance: A description of all covered telecommunications services offered (include on the item being maintained: Brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); or

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(B) If not associated with maintenance, the PSC of the service being provided; and explanation of the proposed use of covered telecommunications services and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(2) of this provision.

(End of provision)

52.204-26 Covered Telecommunications Equipment or Services-Representation (Oct 2020)

(a) Definitions. As used in this provision, "covered telecommunications equipment or services" and "reasonable inquiry" have the meaning provided in the clause 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.

(b) Procedures. The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov>) for entities excluded from receiving federal awards for "covered telecommunications equipment or services".

(c) (1) Representation. The Offeror represents that it does, does not provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument.

(2) After conducting a reasonable inquiry for purposes of this representation, the offeror represents that it does, does not use covered telecommunications equipment or services, or any equipment, system, or service that uses covered telecommunications equipment or services.

(End of provision)

Evaluation of Quotes

The Government will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the Government, price and other factors considered.

Per FAR 13.106 quotes will be evaluated using a best value approach. The Government will evaluate quotes based on price, past performance, and experience.

Price

The quoted prices will be evaluated for reasonableness.

Past Performance

Past performance is a measure of the degree to which the offeror has satisfied previous customers and complied with Federal, State and Local laws and regulations. The Government may contact references to assess the quality of the contractor's work, timely completion, project management, and compliance with regulatory requirements. The Government will consider the currency and relevance of the information provided for past performance. The Government shall consider this

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information, as well as information obtained from any other sources, when evaluating the offeror's past performance.

Experience

The Government will assess the specialized experience and skill of the firm with a focus on experience that is similar to the specified project.

A written notice of award or acceptance of an offer, mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer, shall result in a binding contract without further action by either party. Before the offer's specified expiration time, the Government may accept an offer (or part of an offer), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award.

(End of provision)

52.212-3 Offeror Representations and Certifications – Commercial Products and Commercial Services (DEC 2022) (DEVIATION DEC 2022) (Provision)

If Offeror Representations and Certifications are not complete in SAM the offeror shall submit a completed copy of the provision at 52.212-3, Offeror Representations and Certifications-Commercial Products and Commercial Services, with your offer. The full provision is available from <http://www.acquisition.gov/far/>.

If Offeror Representations and Certifications are complete in SAM, the offeror shall complete the following:

(b)(1) *Annual Representations and Certifications*. Any changes provided by the Offeror in paragraph (b)(2) of this provision do not automatically change the representations and certifications in SAM.

(2) The offeror has completed the annual representations and certifications electronically in SAM accessed through <http://www.sam.gov>. After reviewing SAM information, the Offeror verifies by submission of this offer that the representations and certifications currently posted electronically at FAR [52.212-3](#), Offeror Representations and Certifications-Commercial Products and Commercial Services, have been entered or updated in the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard(s) applicable to the NAICS code(s) referenced for this solicitation), at the time this offer is submitted and are incorporated in this offer by reference (see FAR [4.1201](#)), except for paragraphs [REDACTED].

Representations and Certifications (complete highlighted items in this section and return with your offer)

VENDOR NAME: [REDACTED]

VENDOR UEI: [REDACTED]

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52.252-1 Solicitation Provisions Incorporated by Reference (FEB 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es):

Federal Acquisition Regulation (FAR) Clauses:

<https://www.acquisition.gov/browse/index/far> (FAR clauses begin with 52)

Department of Agriculture Acquisition Regulation (AGAR) Clauses: <https://www.acquisition.gov/agar> (AGAR clauses begin with 452)

Deviations to provisions may be viewed at: <https://www.dm.usda.gov/procurement/policy/FARClassDeviations.htm>

52.252-5 Authorized Deviations in Provisions (NOV 2020)

(a) The use in this solicitation of any Federal Acquisition Regulation (48 CFR Chapter 1) provision with an authorized deviation is indicated by the addition of "(DEVIATION)" after the date of the provision.

(b) The use in this solicitation of any Agriculture Acquisition Regulation (48 CFR Chapter 4) provision with an authorized deviation is indicated by the addition of "(DEVIATION)" after the name of the regulation.

Electronic Submissions of Quotes

(a) *Definition.* "Electronic quote," as used in this solicitation, means a quote, modification of a quote, or withdrawal of a quote that is transmitted to and received by the Government via electronic means that communicates and reproduces both printed and handwritten material. The most common and preferred method is direct email.

(b) The government prefers the use of electronic quotes in response to this solicitation. Quotes may be submitted electronically via email to KIMBERLY.HAMIL@USDA.GOV.

(c) Electronic quotes that fail to furnish required representations or information or that reject any of the terms, conditions, and provisions of the solicitation may be excluded from consideration.

(d) Electronic quotes must contain the required signatures.

(e) The Government reserves the right to make award solely on the electronic quote. However, if requested to do so by the Contracting Officer, the apparently successful quoter agrees to promptly submit the complete original signed quote.

(f) If the quoter chooses to transmit an electronic quote, the Government will not be responsible for any failure attributable to the transmission or receipt of the electronic quote including, but not limited to, the following:

- (1) Receipt of garbled or incomplete quote.
- (2) Availability or condition of the receiving IT equipment.
- (3) Incompatibility between the sending and receiving equipment.
- (4) Delay in transmission or receipt of quote.

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(5) Failure of the quoter to properly identify the quote.

(6) Illegibility of quote.

(7) Security of quote data.

(End of provision)

452.204-70 Inquiries (FEB 1988)